

SECOND REGULAR SESSION

SENATE BILL NO. 1111

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLEMENS.

Read 1st time February 11, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4797S.011

AN ACT

To repeal sections 276.421, 276.436, 276.441, 276.446, 276.506, 411.070, 411.260, 411.263, 411.266, 411.271, and 411.290, RSMo, and to enact in lieu thereof ten new sections relating to the production and sale of grain, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 276.421, 276.436, 276.441, 276.446, 276.506, 411.070, 411.260, 411.263, 411.266, 411.271, and 411.290, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 276.421, 276.436, 276.441, 276.506, 411.070, 411.260, 411.263, 411.266, 411.271, and 411.290, to read as follows:

276.421. 1. All applications shall be accompanied by a true and accurate financial statement of the applicant, prepared within six months of the date of application, setting forth all the assets, liabilities and net worth of the applicant. All applications shall also be accompanied by a true and accurate statement of income and expenses for the applicant's most recently completed fiscal year. The financial statements required by this chapter shall be prepared in conformity with generally accepted accounting principles; except that, the director may promulgate rules allowing for the valuation of assets by competent appraisal.

2. **Except as provided in subsection 3 of this section which sets forth higher financial statement requirements for applicants for a class I grain dealer license**, the financial statement required by subsection 1 of this section shall be [audited or reviewed] **prepared** by a [certified public] **qualified** accountant. The financial statement may not be [audited or reviewed] **prepared** by the applicant, or an employee of the applicant, if an individual, or, if the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 applicant is a corporation or partnership, by an officer, shareholder, partner, or
16 a direct employee of the applicant.

17 **3. Notwithstanding the provisions of subsection 2 of this section**
18 **to the contrary, the financial statement required by subsection 1 of this**
19 **section for all applicants for a class I grain dealer license shall be**
20 **audited or reviewed by a certified public accountant. The financial**
21 **statement may not be audited or reviewed by the applicant, or an**
22 **employee of the applicant, if an individual, or, if the applicant is a**
23 **corporation or partnership, by an officer, shareholder, partner, or a**
24 **direct employee of the applicant.**

25 4. The director may require any additional information or verification
26 with respect to the financial resources of the applicant as he deems necessary for
27 the effective administration of this chapter. The director may promulgate rules
28 setting forth minimum standards of acceptance for the various types of financial
29 statements filed in accordance with the provisions of this chapter. The director
30 may promulgate rules requiring a statement of retained earnings, a statement of
31 changes in financial position, and notes and disclosures to the financial
32 statements for all licensed grain dealers or all grain dealers required to be
33 licensed. The additional information or verification referred to herein may
34 include, but is not limited to, requiring that the financial statement information
35 be reviewed or audited in accordance with standards established by the American
36 Institute of Certified Public Accountants.

37 **[4.] 5.** All grain dealers shall provide the director with a copy of all
38 financial statements and updates to financial statements utilized to secure the
39 bonds required by sections 276.401 to 276.582.

40 **[5.] 6.** All financial statements submitted to the director for the purposes
41 of this chapter shall be accompanied by a certification by the applicant or the
42 chief executive officer of the applicant, subject to the penalty provision set forth
43 in subsection 4 of section 276.536, that to the best of his knowledge and belief the
44 financial statement accurately reflects the financial condition of the applicant for
45 the fiscal period covered in the statement.

46 **[6.] 7.** Any person who knowingly prepares or assists in the preparation
47 of an inaccurate or false financial statement which is submitted to the director
48 for the purposes of this chapter, or who during the course of providing
49 bookkeeping services or in **preparing**, reviewing, or auditing a financial
50 statement which is submitted to the director for the purposes of this chapter,

51 becomes aware of false information in the financial statement and does not
52 disclose in notes accompanying the financial statements that such false
53 information exists, or does not disassociate himself from the financial statements
54 prior to submission, is guilty of a class C felony. Additionally, such persons are
55 liable for any damages incurred by sellers of grain selling to a grain dealer who
56 is licensed or allowed to maintain his license based upon inaccuracies or
57 falsifications contained in the financial statement.

58 [7.] 8. Except as set forth in section 276.511 which mandates higher
59 requirements for class I grain dealers, any licensed grain dealer or applicant for
60 a grain dealer's license who purchases less than four hundred thousand dollars
61 worth of grain, during the dealer's last completed fiscal year, in the state of
62 Missouri and those states with whom Missouri has entered into contracts or
63 agreements as authorized by section 276.566 must maintain a minimum net
64 worth equal to the greater of ten thousand dollars or five percent of such grain
65 purchases. If grain purchases during the dealer's last completed fiscal year are
66 four hundred thousand dollars or more, the dealer must maintain a net worth
67 equal to the greater of twenty thousand dollars or one percent of grain purchases.
68 If the dealer or applicant is deficient in meeting this net worth requirement, he
69 must post additional bond as required in section 276.436.

276.436. 1. The total amount of the surety bond required of a dealer
2 licensed pursuant to sections 276.401 to 276.582 shall [be established by the
3 director by rule, but in no event shall such bond] **not** be less than [twenty] **fifty**
4 thousand dollars nor more than [three] **five** hundred thousand dollars, except as
5 authorized by other provisions of sections 276.401 to 276.582.

6 2. The formula for determining the amount of bond shall be [established
7 by the director by rule and shall be] computed at a rate of no less than the
8 principal amount to the nearest one thousand dollars, equal to not less than [one]
9 **two** percent [and not more than five percent] of the aggregate dollar amount paid
10 by the dealer for grain purchased in the state of Missouri and those states with
11 whom Missouri has entered into contracts or agreements as authorized by section
12 276.566 during the dealer's last completed fiscal year, or, in the case of a dealer
13 who has been engaged in business as a grain dealer for less than one year or who
14 has not previously engaged in such business, not less than [one] **two** percent
15 [and not more than five percent] of the estimated aggregate dollar amount to be
16 paid by the dealer for grain purchased in the state of Missouri and those states
17 with whom Missouri has entered into contracts or agreements as authorized by

18 section 276.566 during the applicant's initial fiscal year.

19 3. Any licensed grain dealer or applicant who has, at any time, a net
20 worth less than the amount required by subsection 7 of section 276.421, shall be
21 required to obtain a surety bond in the amount of one thousand dollars for each
22 one thousand dollars or fraction thereof of the net worth deficiency. Failure to
23 post such additional bond is grounds for refusal to license or the suspension or
24 revocation of a license issued under sections 276.401 to 276.582. This additional
25 bond can be in addition to or greater than or both in addition to and greater than
26 the maximum bond as set by this section.

27 4. The director may, when the question arises as to a grain dealer's ability
28 to pay for grain purchased, require a grain dealer to post an additional bond in
29 a dollar amount deemed appropriate by the director. Such additional bond can
30 be in addition to or greater than or both in addition to and greater than the
31 maximum bond as set by this section. The director must furnish to the dealer,
32 by certified mail, a written statement of the reasons for requesting additional
33 bond and the reasons for questioning the dealer's ability to pay. Failure to post
34 such additional bond is a ground for modification, suspension or revocation by the
35 director of a license issued under sections 276.401 to 276.582. The determination
36 of insufficiency of a bond and of the amount of the additional bond shall be based
37 upon evidence presented to the director that a dealer:

38 (1) Is or may be unable to meet his dollar or grain obligations as they
39 become due;

40 (2) Has acted or is acting in a way which might lead to the impairment
41 of his capital;

42 (3) As a result of his activity, inactivity, or purchasing and pricing
43 practices and procedures, including, but not limited to, the dealer's deferred
44 pricing or deferred payment practices and procedures, is or may be unable to
45 honor his grain purchase obligations arising out of his dealer business. The
46 amount of the additional bond required under this subsection shall not exceed the
47 amount of the dealer's current loss position. Current loss position shall be the
48 sum of the dealer's current liabilities less current assets or the amount by which
49 he is currently unable to meet the grain purchase obligations arising out of his
50 dealer business.

51 5. One bond, cumulative as to minimum requirements, may be given
52 where a dealer has multiple licenses; except however, that in computing the
53 amount of the single bond the grain dealer may add together the total purchases

54 of grain of all locations to be covered thereby and use the aggregate total
55 purchases for the fiscal year for the purpose of computing bond. However, this
56 single cumulative bond must be at least equal to [twenty] **fifty** thousand dollars
57 per dealer license issued up to the [three] **five** hundred thousand dollar
58 maximum bond amount specified in subsection 1 of this section. When a grain
59 dealer elects to provide a single bond for a number of licensed locations, the total
60 assets of all the licensed locations shall be subject to liabilities of each individual
61 licensed location.

62 6. Failure of a grain dealer to provide and file a bond and financial
63 statement and to keep such bond in force shall be grounds for the suspension or
64 revocation, by the director, of a license issued under sections 276.401 to 276.582.

65 7. A dealer shall be required to post additional surety bond when he
66 surpasses the estimated aggregate dollar amount to be paid for grain purchased
67 as set forth in subsection 2 of this section. Such additional bond shall be
68 determined by the director so as to effectively protect sellers of grain dealing with
69 such dealer.

276.441. 1. Any grain dealer who is of the opinion that his net worth is
2 sufficient to guarantee payment for grain purchased by him may make a formal,
3 written request to the director that he be relieved of the obligation of filing a
4 bond in excess of the minimum bond of [twenty] **fifty** thousand dollars. Such
5 request shall be accompanied by a financial statement of the applicant, **audited**
6 **by a certified public accountant, and** prepared within four months of the
7 date of such request and accompanied by such additional information concerning
8 the applicant and his finances as the director may require [which may include the
9 request for submission of a financial statement audited by a public accountant].

10 2. If such financial statement discloses a net worth equal to at least five
11 times the amount of the bond otherwise required by sections 276.401 to 276.582,
12 and the director is otherwise satisfied as to the financial ability and resources of
13 the applicant, the director may waive that portion of the required bond in excess
14 of [twenty] **fifty** thousand dollars for each license issued.

276.506. 1. The director shall collect fees as follows:

2 (1) A filing fee of [twenty-five] **fifty** dollars for each original application
3 for license filed;

4 (2) A license fee of [forty] **one hundred** dollars for the issuance of an
5 original or renewal license;

6 (3) A fee for each special or requested examination of a grain dealer for

7 extra work beyond regular examination procedures in connection with regular
8 scheduled examinations computed as follows:

9 (a) Necessary personal expenses in conformance with the rules and
10 regulations promulgated by the commissioner of administration pursuant to
11 section 33.090, RSMo;

12 (b) A mileage allowance equal to the allowance established by the
13 commissioner of administration pursuant to section 33.095, RSMo;

14 (c) [Twenty] **Forty** dollars for each man-hour required to complete the
15 inspection.

16 2. All fees collected by the director under sections 276.401 to 276.582 shall
17 be deposited in the general revenue fund of the state. No fees shall be prorated.

18 3. Nonpayment of fees shall be grounds for refusal to issue or renew a
19 license or for suspension or revocation of a grain dealer's license.

20 4. Notwithstanding other provisions of sections 276.401 to 276.582, a
21 grain dealer licensed under sections 276.401 to 276.582 who is also licensed by
22 the state of Missouri under chapter 411, RSMo, shall not be charged application
23 filing fees or licensing fees authorized by sections 276.401 to 276.582.

411.070. 1. The director shall:

2 (1) Supervise the handling, sampling, inspection, weighing and storage of
3 grain in warehouses as required by this chapter;

4 (2) Supervise protein or other chemical analysis of grain where
5 laboratories are now or may hereafter be established;

6 (3) Keep proper records of all sampling, inspection, weighing, protein or
7 other chemical analysis performed under the provisions of this chapter;

8 (4) Employ, fix the salaries and pay all necessary personnel required to
9 administer, execute and perform the duties required by the provisions of this
10 chapter, including warehouse auditors whose duties may include making
11 examinations, audits, inspections and investigations authorized under this
12 chapter;

13 (5) Cause the operations of warehousemen licensed under this chapter to
14 be examined. The examinations may include an audit of all grain and all books,
15 documents and records pertaining to the warehousemen's business operations, to
16 determine whether the interests of producers, shippers and receivers of grain and
17 the holders of warehouse receipts are adequately protected and safeguarded;

18 (6) Take such action or issue such orders as necessary to prevent any
19 fraud upon or discrimination against depositors of grain in warehouses. If upon

20 examination, a deficiency is found to exist between physical inventory and the
21 warehouseman's obligations, the director may require an examiner to remain at
22 the warehouse and monitor all operations conducted thereat, involving grain
23 stored under the provisions of this chapter, until such deficiency is corrected.

24 2. The director may:

25 (1) Promulgate and adopt such regulations in accordance with the
26 provisions of chapter 536, RSMo, as may be necessary for the efficient and
27 effective enforcement of this chapter;

28 (2) Designate an employee of the department to act as his designated
29 representative;

30 (3) Publish such data in connection with the administration of this
31 chapter as may be of public interest;

32 (4) Require any forms, records or reports to be filed with the department,
33 by any warehouseman, that he deems necessary to ensure compliance with the
34 provisions of this chapter;

35 (5) Examine, or cause to be examined, at reasonable times, any
36 warehouse, including an examination of grain stored therein and all books,
37 documents and records pertaining thereto, in order to determine whether or not
38 such facility should be licensed pursuant to this chapter;

39 (6) Prescribe minimum contents for any forms, records, contracts or
40 reports that grain warehousemen use or by the provisions of this chapter and its
41 pursuant regulations, are required to issue, file, maintain or keep;

42 (7) Issue subpoenas duces tecum for any records relating to a grain
43 warehouseman's business;

44 (8) Prescribe procedures for hearings to be held in accordance with the
45 provisions of this chapter and regulations promulgated hereunder; provided,
46 however, an appeal from such hearings may be taken in accordance with the
47 provisions of chapter 536, RSMo;

48 (9) Conduct, or appoint a designated representative to conduct,
49 administrative hearings pursuant to the provisions of this chapter and chapter
50 536, RSMo. Hearings may be conducted for the purpose of determining the
51 liability of sureties which have filed bonds with the department on behalf of
52 warehousemen licensed, or required to be licensed, under this chapter. Hearings
53 may be conducted for the purpose of determining the validity of grain-related
54 claims filed with the department against such warehousemen and sureties, as
55 well as the subsequent disbursement of all available funds, pro rata or otherwise,

56 to satisfy claims determined to be valid. An order issued by the director, or his
57 designated representative, as a result of such hearings shall be final and legally
58 binding on all parties unless appealed in accordance with the provisions of
59 chapter 536, RSMo;

60 (10) Serve, or cause to be served, any subpoena, petition, or order required
61 for the administration of this chapter;

62 **(11) Establish guidelines for the issuance of electronic**
63 **warehouse receipts and approve providers of such service.**

64 3. [No rule or portion of a rule promulgated under the authority of this
65 chapter shall become effective unless it has been promulgated pursuant to the
66 provisions of section 536.024, RSMo] **Any rule or portion of a rule, as that**
67 **term is defined in section 536.010, RSMo, that is created under the**
68 **authority delegated in this section shall become effective only if it**
69 **complies with and is subject to all of the provisions of chapter 536,**
70 **RSMo, and, if applicable, section 536.028, RSMo. This section and**
71 **chapter 536, RSMo, are nonseverable and if any of the powers vested**
72 **with the general assembly pursuant to chapter 536, RSMo, to review, to**
73 **delay the effective date, or to disapprove and annul a rule are**
74 **subsequently held unconstitutional, then the grant of rulemaking**
75 **authority and any rule proposed or adopted after August 28, 2008, shall**
76 **be invalid and void.**

411.260. 1. Each person owning, operating, or desiring to own or operate
2 a grain warehouse who is required to be licensed, shall apply for a license for
3 each such warehouse he owns or operates. The application for a license shall be
4 subscribed and sworn to under oath by the applicant or a duly authorized
5 representative of the applicant. The application shall be in a form prescribed by
6 the director. All items on the application must be completed or marked "not
7 applicable" as appropriate.

8 2. All applications shall be accompanied by a true and accurate financial
9 statement of the applicant, prepared within six months of the date of the
10 application, setting forth the assets, liabilities and the net worth of the applicant.
11 All applications shall also be accompanied by a true and accurate statement of
12 income and expenses for the applicant's most recently completed fiscal year. The
13 financial statements required by this chapter shall be prepared in conformity
14 with generally accepted accounting principles; except that, the director may
15 promulgate rules allowing for the valuation of assets by competent appraisal.

16 3. The financial statements required by subsection 2 of this section shall
17 be [audited or reviewed by a certified public] **prepared by a qualified**
18 accountant. The financial statement may not be audited, reviewed or prepared
19 by the applicant, if an individual, or, if the applicant is a corporation or
20 partnership, by any officer, shareholder, partner, or employee of the applicant.

21 4. The director may require any additional information or verification
22 with respect to the financial resources of the applicant as he deems necessary for
23 the effective administration of this chapter. The director may promulgate rules
24 setting forth minimum standards of acceptance for the various types of financial
25 statements filed in accordance with the provisions of this chapter. The director
26 may promulgate rules requiring a statement of retained earnings, a statement of
27 changes in financial position, and notes and disclosures to the financial
28 statements for all licensed warehousemen or all warehousemen required to be
29 licensed. The additional information or verification referred to herein may
30 include, but is not limited to, requiring that the financial statement information
31 be reviewed or audited in accordance with standards established by the American
32 Institute of Certified Public Accountants.

33 5. All warehousemen shall provide the director with a copy of all financial
34 statements and updates to financial statements utilized to secure the bonds
35 required by this chapter. Also, all warehousemen maintaining a uniform grain
36 storage agreement with the Commodity Credit Corporation or a United States
37 Warehouse Act license shall provide the director with a copy of all financial
38 statements and updates to financial statements utilized to secure and maintain
39 such agreement or license.

40 6. All financial statements submitted to the director for the purposes of
41 this chapter shall be accompanied by a certification by the applicant or the chief
42 executive officer of the applicant, subject to the penalty provision set forth in
43 section 411.517 that to the best of his knowledge and belief the financial
44 statement accurately reflects the financial condition of the applicant for the fiscal
45 period covered in the statement.

46 7. Any person who knowingly prepares or assists in the preparation of an
47 inaccurate or false financial statement which is submitted to the director for the
48 purposes of this chapter, or who during the course of providing bookkeeping
49 services or in reviewing or auditing a financial statement which is submitted to
50 the director for the purposes of this chapter, becomes aware of false information
51 in the financial statement and does not disclose in notes accompanying the

52 financial statements that such false information exists, or does not disassociate
53 himself from the financial statements prior to submission, is guilty of a class C
54 felony. Additionally, such persons are liable for any damages incurred by
55 depositors of grain with a warehouseman who is licensed or allowed to maintain
56 his license based upon inaccuracies or falsifications contained in the financial
57 statement.

411.263. Every warehouseman's original application for a public
2 warehouse license must be accompanied by a [fifty] **one hundred** dollar
3 application fee. Every applicant after approval shall pay an annual license fee
4 based upon the capacity of the warehouse, or portion of the warehouse, the fee to
5 be set by the director at a rate not to exceed the schedule of license fees set forth
6 in section 411.691. If two or more warehouses are to be operated as a single
7 operating unit as authorized in section 411.255, separate filing fees and licensing
8 fees are required for each warehouse.

411.266. If a public warehouseman licensed under this chapter desires to
2 renew the license for an additional year, application for the renewal shall be
3 made on a form prescribed by the director and shall be accompanied by a
4 financial statement, as required by section 411.260, with such additional
5 information or verification with respect to the financial resources of the applicant
6 as the director may require. The application fee of [fifty] **one hundred** dollars
7 shall not be required. At least sixty days prior to the expiration of each license
8 issued by the director under this chapter, the director shall notify the
9 warehouseman of the date of expiration and furnish the warehouseman with the
10 renewal form. The warehouseman shall submit the application at least thirty
11 days prior to the date of expiration of the license and for each day less than thirty
12 days, the warehouseman shall be penalized an additional fee of ten dollars per
13 day for every day beyond the due date for the application. The date of submission
14 of the application shall be determined as the date postmarked.

411.271. 1. **Except as provided in subsection 2 of this section**, the
2 department shall make at least [one] **two** complete [examination] **examinations**
3 of each state licensed public warehouse each year. The [examination]
4 **examinations** shall be at the expense of the warehouseman who shall be
5 charged thereby a fee based on rates established by the director. The minimum
6 examination fee shall be [fifty] **one hundred** dollars. The [examination]
7 **examinations** shall include a weigh-up of all grain or a measure-up of all grain,
8 as may be elected by the warehouseman.

9 2. **If a public warehouseman licensed under this chapter submits**
10 **a financial statement reviewed or audited by a certified public**
11 **accountant to meet the financial statement requirements of section**
12 **411.260, one of the examinations required under subsection 1 of this**
13 **section and the fee for that examination may be waived by the director.**

14 3. Any additional examinations deemed necessary by the department to
15 be made during any year shall be at the expense of the department; except that,
16 if upon any examination a discrepancy is found to exist, the director may collect
17 a fee for that examination and for any subsequent examinations deemed
18 necessary to insure that the discrepancy is corrected. The fee for each such
19 examination shall be computed in accordance with the provisions of subsection
20 3 of this section.

21 [3.] 4. Any warehouseman may request additional examinations at the
22 expense of the warehouseman. The director may collect a fee for each special or
23 requested examination of a public grain warehouse or for extra work beyond
24 regular examination procedures in connection with regularly scheduled
25 examinations, computed as follows:

26 (1) Necessary personal expenses in conformance with the rules and
27 regulations promulgated by the commissioner of administration pursuant to
28 section 33.090, RSMo;

29 (2) A mileage allowance equal to the allowance established by the
30 commissioner of administration pursuant to section 33.095, RSMo;

31 (3) [Twenty] **Forty** dollars for each man-hour required to complete the
32 inspection.

33 [4.] 5. Upon completion of any examination which reveals a failure to
34 comply with this chapter or regulations promulgated hereunder, the director or
35 any warehouse auditor, within a reasonable time, shall present a written
36 discrepancy report to the warehouseman, his employee or agent. The report shall
37 specify the areas of noncompliance and shall give a specific period of time within
38 which corrective action is to be taken. Such period of time shall be both
39 reasonable and practicable under the circumstance. A report of that corrective
40 action shall be sent to the director by the warehouseman. If, after further
41 examination, the discrepancy still exists, the director may modify, suspend, or
42 revoke the warehouseman's license, or the director may take whatever other
43 action he deems necessary, consistent with the provisions of this chapter, until
44 the warehouseman has corrected the discrepancy.

411.290. 1. Every state licensed public warehouseman shall in his own
2 name at all times keep all the grain contained in his warehouse insured by some
3 reliable insurance company authorized to do business in the state of
4 Missouri. The grain is to be insured for its full market value against loss by fire,
5 inherent explosion, lightning, and windstorm. Failure to do so is a violation of
6 this chapter and shall make the public warehouseman liable for the same on his
7 bond. Except that a warehouseman shall not be required to carry insurance on
8 commodity credit corporation owned grain if the commodity credit corporation
9 elects to be self insured for loss of the grain. The director may promulgate rules
10 governing the submission and acceptance of insurance policies that contain
11 deductible clauses.

12 2. In case of a fire, inherent explosion, lightning, or windstorm, which
13 shall destroy or damage all or part of the grain stored in any public warehouse,
14 the public warehouseman shall, upon demand by the owner of the grain, or the
15 holder of any warehouse receipt or receipts for such grain, and upon being
16 presented with the warehouse receipt or receipts, or other evidence of ownership,
17 make settlement for the value of the grain covered by the warehouse receipt, or
18 receipts, after deducting the warehouse charges, at the market value of same,
19 basing the value at the average price paid for grain of the same grade and quality
20 at the station where the public warehouse is located on the date of the
21 destruction. In the event settlement is not made within sixty days from the date
22 of the demand, the depositor shall have the right to seek recovery from the
23 insurance company.

24 3. Fraud or other criminal act of the warehouseman, to which the holder
25 of a warehouse receipt or other interested person is not a party, shall not deprive
26 the holder of a warehouse receipt, storage receipt or scale ticket, or other
27 interested person, of his right of recovery under such policy of insurance.

28 4. No insurance policy covering grain shall be canceled or be allowed to
29 expire by the insurance company on less than ninety days' notice by certified mail
30 to the director and the principal, except if such policy is being replaced with
31 another policy and evidence of the new policy is filed with the director at the time
32 of cancellation or expiration of the policy on file. The notice shall contain the
33 termination or expiration date. Any replacement insurance shall be provided by,
34 and carried in the name of, the warehouseman. [The license of a warehouseman
35 shall automatically be suspended for failure to file new evidence of insurance
36 within thirty days of the director's receipt of the notice of cancellation or

37 expiration. If replacement insurance is not filed within sixty days of the
38 director's receipt of notice of cancellation or expiration, the warehouse license
39 shall be automatically revoked. The provisions of subsections 9 and 10 of section
40 411.275, pertaining to the director, circuit courts, warehousemen, depositors, and
41 other interested persons relating to bond cancellations shall apply similarly to
42 insurance cancellations or expirations.]

[276.446. Any grain dealer whose total purchases of grain
2 within Missouri and those states with whom Missouri has entered
3 into contracts or agreements as authorized by section 276.566
4 during any fiscal year, do not exceed an aggregate dollar amount
5 of four hundred thousand dollars may satisfy the bonding
6 requirements of sections 276.401 to 276.581 by filing with the
7 director a bond at the rate of one thousand dollars for each twenty
8 thousand dollars or fraction thereof of the dollar amount to be
9 purchased, with a minimum bond of ten thousand dollars required.]

✓
Bill

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